

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 684 OF 2025
IN
CRIMINAL APPEAL NO. 388 OF 2025

Abhishek Singh Ajitsingh Rajput

Vs.

State of Maharashtra, Through PSO, P.S. New Kamptee, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Tejas Deshpande, Advocate for applicant.
Shri A.A. Madiwale, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 12.08.2025

1. By this application the appellant is seeking suspension of sentence and releasing the appellant on bail.
2. The appellant was charged for the offence punishable under Section 306 of Indian Penal Code and sentence to suffer rigorous imprisonment for five years and fine of Rs.10,000/- in default simple imprisonment for one month.
3. Heard learned Counsel for the appellant who submitted that the punishment imposed is of a limited period. She has also pointed out from the evidence recorded before the Trial Court that she has many arguable points in the present appeal as from the

evidence itself, it reveals that there was no abetment at the hands of the appellant, but the Trial Court has not appreciated the evidence in proper perspective. Thus, she has every chance of success in the present appeal, but the appeal would take its own time for final disposal. In the meantime, if the sentence is executed, then the appeal would become infructuous. In view of that he prayed for the suspension of sentence and released the appellant on bail.

4. Learned APP strongly opposed for the same and submitted that the appellant is the husband of the deceased. Due to the ill treatment at the hands of the present appellant, deceased has committed suicide. The evidence on record sufficiently shows the involvement of the present appellant. In view of that the application deserves to be rejected.

5. On hearing both the sides and on perusal of the evidence which is recorded before the Trial Court, admittedly, at this stage, reappraisal of the evidence is not permissible. What is to be seen is whether the appellant has any chance of success in the present appeal. On perusal of the entire evidence on record, learned Counsel for the appellant has pointed out some arguable points which is in her favour from which it reveals that appellant has chance of success in the present appeal. In view of that the application deserves to be allowed. Accordingly, I proceed to pass following order :

ORDER

- (1) The criminal application is allowed.
- (2) The execution of the sentence passed in Sessions Case No.441/2022 is hereby suspended till disposal of the appeal.
- (3) The appellant- **Abhishek Singh Ajitsingh Rajput**, shall be released on bail on executing P.R. Bond of Rs.25,000/- with one surety in the like amount.
- (4) The Criminal Application is disposed of.

CRIMINAL APPEAL NO. 388 OF 2025**Admit.**

2. Call for the Record and Proceedings.
3. Appeal be listed after preparation of the paper book.

(URMILA JOSHI-PHALKE, J.)